

Richard E. Leff, Esq. (RL-2123)  
McGIVNEY & KLUGER, P.C.  
80 Broad Street, 23<sup>rd</sup> Floor  
New York, New York 10004  
(212) 509-3456

Attorneys for Defendants:  
90 CHURCH STREET LIMITED PARTNERSHIP  
and BOSTON PROPERTIES, INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 102 (AKH)

PETER B BAILON,

Index No.: 07-CV-05336

Plaintiff(s),

**NOTICE OF ADOPTION OF ANSWER  
TO MASTER COMPLAINT**

-against-

**ELECTRONICALLY FILED**

90 CHURCH STREET LIMITED  
PARTNERSHIP, *et al.*,

Defendant(s).

-----X

PLEASE TAKE NOTICE that Defendants, 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC., by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 2, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendants, 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES, INC., demand judgment dismissing the above-captioned action as against them,

together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
September 7, 2007

Yours etc.,

McGIVNEY & KLUGER, P.C.  
Attorneys for Defendants  
90 CHURCH STREET LIMITED PARTNERSHIP  
and BOSTON PROPERTIES, INC.

By: 

Richard E. Leff (RL-2123)  
80 Broad Street, 23<sup>rd</sup> Floor  
New York, New York 10004  
(212) 509-3456

TO: ~~WORBY GRONER & NAPOLI BERN, LLP~~

Plaintiffs Liaison  
In Re Lower Manhattan Disaster Site  
Litigation  
115 Broadway, 12th Floor  
New York, New York 10006  
(212) 267-3700

All Defense Counsel